

Minutes of the Judiciary and Law Enforcement Committee - May 28, 2004

The meeting was called to order at 8:32 a.m. by Chair Mitchell.

Present: Chair William Mitchell, County Board Supervisors Kathleen Cummings (arrived at 8:39 a.m.), Mareth Kipp, Carl Seitz, Jean Tortomasi; **Absent:** Keith Harenda and David Swan
Staff Present: Legislative Policy Advisors Dave Krahn, Legis.Associate Sandra Meisenheimer
Also Present: District Attorney Paul Bucher, Deputy D.A. Mike Bundy, Victim/Witness Coordinator Jen Dunn, Office Services Coordinator Dani Danielski, JoAnn Eiring of Wisconsin Community Services, Dr. Lynda Biedrzycki, Senior Financial Analyst Mike Baniel

Pledge of Allegiance

Supervisor Seitz led the committee in saying the pledge.

Approve Minutes of: May 14, 2004

Motion: Kipp moved, second by Seitz, to approve the minutes of May 14, 2004. **Motion carried 4 – 0.**

Correspondence

Letter to Sheriff Trawicki from Walt Morzy of State Department of Corrections regarding the 2004 annual inspection of the Waukesha County Jail.

Executive Committee Report

Mitchell reviewed items that were discussed and/or considered at the meeting of May 17, 2004.

Introduction of District Attorney Departmental Staff and Overview of Department

Bucher introduced his staff of Bundy, Dunn, Danielski, as well as Eiring of Wisconsin Community Services. There are also two other deputy district attorneys who are very busy (Steve Centenario, Debra Blasius) and not in attendance today. Bucher said they have had a case management system in their office for the last decade called IJIS (Integrated Justice Information System). Now they are the sole agency on IJIS (Sheriff and Clerk of Courts left). The State has implemented PROTECT which is also a case management system and just as good as IJIS. PROTECT will eventually connect all District Attorneys throughout the 72 counties in the State. Bucher indicated the system should be up and running in October of 2004.

Bucher stated that the State budget cuts had a devastating affect on his office, and he is still not over it and probably never will be. He lost 17% of his legal staff which caused him to shut down the Domestic Violence Unit. The average caseload in his office is anywhere from 1,800 to 2,000 cases per prosecutor. He said he has never had to accept mediocrity but now he does. It is a bitter pill for all of them but he has no choice. The municipalities are also feeling the impact because they have to push cases back on them. Morale is okay but either you're in court all day or you're behind your desk from 8:00 a.m. until the end of the day dictating and trying to get the cases off of your desk. The future looks bleak because the State is in such a hole. They did keep the Sensitive Crimes Unit open, which has two prosecutors who are busy all the time. The Narcotics Unit is open because it is funded through federal grants, although funds have been partially cut. If they lose more funding of grants, they will have to close Narcotics. In his opinion, they have taken ten steps backward in the last 2-3 years.

Bucher stated the Victim/Witness Division is a very important part of their office. The State said when this division was started that they would reimburse the county at 90% of the cost of the program. Bucher said they have never received 90% and last year budgeted at 60-65%. Bucher is not happy with the way this program is funded by the State.

Bucher said for their next budget they will be drafting an ordinance for a Computer Forensic Unit. It is the only partnership between the Sheriff and District Attorney to specifically deal with computer forensics, primarily pornography, obscenity, drugs, etc.

Kipp asked do you see anything coming out of CJCC (Criminal Justice Collaborating Council) that might help your department down the road, i.e., reduction in caseloads. Bucher said no there's nothing they can do to reduce caseloads because the goal of CJCC is to reduce jail days. However, maybe they can identify some grants to allow the creation of a diversion program which might have an impact on jail days long term. It really won't reduce caseloads though because the cases are still coming through his office. If the grant allowed for the hiring of a paralegal, it definitely would help with caseloads.

Bundy discussed the Intensive Drunk Driving Program in Waukesha County. He stated that Eiring runs the program, which has been in existence for a little over five years. Bundy said it is the most unique program, which took 3 years to get in place. The idea of the program came from Milwaukee. The theory of the program comes from the idea that the best chance to prevent a repeat drunk driver from driving drunk again is to get them into treatment as soon as possible after the episode (usually the latest arrest for drunk driving). Bundy stated that Bucher created the fast track, which makes the Waukesha County program the best in the State. The other dynamic part of the program is the cooperative connection with all the other entities involved, which he went on to explain.

Eiring distributed handouts of the WCS Pretrial Services/Waukesha OWI Program, OWI Summary Reports for 2003 and the period from January 1 through May 25, 2004 (copies filed in committee correspondence book). Eiring reviewed some of the statistics for the committee. She said percentage-wise last year and the period this year (1/1-5/25/04) are comparable.

Discuss 2003 Year-End Budget Monitoring Summary Report – General Fund Operations

District Attorney:

The overall favorable results of \$32,700 are from expenditures less than budget by \$137,700 mostly offset by revenues less than budget by \$105,000.

Medical Examiner:

Biedrzycki explained that revenues are under budget by \$1,300 due to the less than predicted number of cremations, and expenditures are below budget by \$20,400, mainly from photographic and emergency/medical supplies of \$11,700 and contracted autopsy costs of \$7,900. This accounts for the \$19,100 overage.

Tortomasi asked if someone dies who has a previous history of heart disease or heart problems is an autopsy performed? Biedrzycki replied if after talking to the physician who is reasonably sure and can say based on what he knows it's not surprising what happened, she will not do an autopsy even if the person is relatively young. However, if the case is unexpected, unexplained or traumatic and the doctor won't sign, that is a different story.

Consider Proposed Ordinance: 159-O-021 Modify Waukesha County Medical Examiner 2004 Budget for Office Workstation Expenses

Biedryzcki discussed the ordinance, which authorizes the transfer of funds to be used for replacing seven workstations. The Medical Examiner's office has not been updated since prior to taking occupancy in the Justice Addition in 1993. In addition, the number of staff members has increased by three. Biedryzcki explained how the new furniture costs will be covered, as detailed in the fiscal note.

Motion: Cummings moved, second by Tortomasi, to approve Ordinance 159-O-021. **Motion carried 5 – 0.**

Future Agenda Items by Committee Members

- Tour of Medical Examiner's office
- Discuss Circuit Court Services 2003 Year-End Budget Monitoring Summary Report - General Fund Operations
- Overview of Emergency Management Office

Future Meeting Dates

The next committee meeting is scheduled for June 11, 2004.

Legislative Update

Krahn stated the subject matter in Madison continues to be TABOR (Taxpayer's Bill of Rights). The latest is there might be a hearing(s) scheduled next week on a Senate Republican TABOR proposal which has yet to be made public. However, there has been no firm agreement between the two houses to schedule an extraordinary session.

Motion to adjourn: Cummings moved, second by Tortomasi, to adjourn the meeting at 10:42 a.m. Motion carried 5 – 0.

Respectfully submitted,

Mareth K. Kipp
Secretary

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